## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

MARK TASSINARI, RICHARD ESPINOSA, RANDY OWENS, AND JONATHAN ANDERSON, individually and on behalf of all others similarly situated,	) ) ) )
Plaintiffs,	) ) CASE NO. 1:21-CV-10806
v.	)
THE SALVATION ARMY NATIONAL CORPORATION; THE SALVATION ARMY, A NEW YORK CORPORATION,	) ) )
Defendants	) ) )

## DEFENDANTS' MOTION FOR LEAVE TO FILE 10-PAGE REPLY MEMORANDUM

The Defendants move that they be permitted to file a single 10-page Reply

Memorandum, in support of their pending motions to dismiss. The grounds for this motion are
as follows:

- 1. The legal issues raised by the Defendants' motions, and by the opposition filed by the Plaintiffs, are extensive and complex. The Defendants believe that the additional pages requested in this motion will assist the Court in evaluating those issues.
- 2. At a status conference on September 28, 2021, the Court indicated that all parties should consolidate their motion practice such that only a single memorandum would be filed in support of, or in opposition to, motions to dismiss on multiple grounds. The Court also indicated that it would be amenable to reasonable increases in the page count of memoranda filed pursuant to this guidance.

3. Plaintiffs' counsel has indicated that they agree to the Defendant's request to file a 10-page reply memorandum.

## **Certification under Local Rule 7.1(A)(2)**

Undersigned counsel certifies that Defendants' counsel conferred with Plaintiff's counsel on October 15, 2021, and Plaintiff's counsel indicated that there would be no opposition to this motion.

Dated: October 15, 2021

THE DEFENDANTS,
THE SALVATION ARMY NATIONAL
CORPORATION, and THE SALVATION
ARMY, A NEW YORK CORPORATION,

By their attorneys,

BARTON GILMAN, LLP

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## **CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 15, 2021.

/s/ Kevin Hensley